

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ALEXANDER MCCULLOUGH and
CURTIS MCCULLOUGH, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LOYCE MCCULLOUGH,

Respondent-Appellant,

and

CURTIS WILLIS and FRANK O'NEIL,

Respondents.

UNPUBLISHED

February 27, 1998

No. 199613

Genesee Juvenile Court

LC No. 95-102471-NA

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CURTIS WILLIS,

Respondent-Appellant,

and

FRANK O'NEIL and LOYCE MCCULLOUGH,

Respondents.

No. 199660

Genesee Juvenile Court

LC No. 95-102471-NA

Before: Michael J. Kelly, P.J., and Fitzgerald and M.G. Harrison*, JJ.

MEMORANDUM.

In Docket No. 199613, respondent McCullough appeals as of right from the juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (j); MSA 27.3178(598.19b)(3)(c)(i) and (j). In Docket No. 199660, respondent Willis appeals as of right from the juvenile court order terminating his parental rights to the minor child, Alexander McCullough, under MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g). These appeals have been consolidated for our review. We affirm.

The juvenile court did not clearly err in determining that the statutory grounds for termination of respondent McCullough's parental rights were proven by clear and convincing evidence. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Hamlet (After Remand)*, 225 Mich App 505, 515; ___ NW2d ___ (1997). Given respondent McCullough's lengthy history of drug addiction, the juvenile court did not clearly err in determining that the conditions that led to the adjudication continued to exist and that she would not be able to rectify these conditions and care for her children within a reasonable time. Nor did the court clearly err in finding that a reasonable likelihood existed that the children would be psychologically and emotionally harmed if returned to respondent McCullough's home because of her cocaine addiction.

Respondent Willis contends that the juvenile court clearly erred in terminating his parental rights because petitioner failed to provide any services for him or offer him assistance in obtaining custody. We disagree. Although petitioner's caseworker did not expend much effort to explain the proceedings to him or offer him services and although respondent Willis occasionally visited the child, respondent Willis never expressed any desire to establish paternity or seek custody of the child. Given that respondent Willis knew of the proceedings yet expressed no desire to obtain custody, the juvenile court correctly determined that no reasonable likelihood existed that respondent would be able to provide proper care and custody for his son within a reasonable time.

Affirmed.

/s/ Michael J. Kelly

/s/ E. Thomas Fitzgerald

/s/ Michael G. Harrison

* Circuit judge, sitting on the Court of Appeals by assignment.